

ADVISORY OPINION 97-003

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121. 135(4).

April 26, 1997

Mr. David Harover
254 Clearview Drive
Lexington, Kentucky 40503

Dear Mr. Harover:

This is in response to your letter wherein you ask whether your request for financial support would require you to file reports with the Kentucky Registry of Election Finance ("Registry"). Essentially, you ask whether it is legal to ask the question "Will you support me financially?" without declaring an intent to run for office or registering a campaign committee with the Registry.

You may ask the foregoing question: "Will you support me financially?" without invoking the provisions of campaign finance statutes provided that your dissemination of that message does not involve an expenditure of funds. However, if your message is conveyed by letter an expenditure for postage would be required which must be reported to the Registry. For purposes of campaign finance statutes one becomes a candidate pursuant to KRS 121.015(8) when he or she "has received contributions or made expenditures ... with a view to bringing about his [her] nomination or election to public office, except federal office."(emphasis supplied) Therefore, you may become a candidate pursuant to KRS Chapter 121 regardless of whether you have officially filed a petition for nomination to an office with your County Clerk or the Secretary of State's office.

If you have further questions, please contact the Registry at (502) 573-2226.

Sincerely,

Rosemary F. Center
General Counsel

RFC/jlw